



Attorney Docket No. 60085USPCT
Serial No. 09/914,913

FILING BY "FIRST CLASS MAIL" UNDER 37 C.F.R. § 1.8

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on January 4, 2007.

- 1) Response to Notification of Non-Compliant Appeal Brief (3 pages total)
- 2) Return Postcard

Melissa Hardy

Name

Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Beyer, et al.

Serial Number: 09/914,913

Filed: December 17, 2001

For: Method for Improving the Agronomics
and Nutritional Value of Plants

Art Unit: 1638

Examiner: Russell Kallis

Confirmation No.: 5922

Atty Docket: 60085USPCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

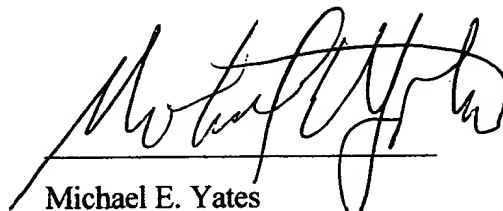
This paper is being filed in response to the Notification of Non-Compliant Appeal Brief mailed on December 29, 2006. In a telephone call with Leneetha L. Dyar, Patent Appeal Center Specialist, Melissa Hardy, paralegal working with the undersigned attorney, was told that submission of the attached "Related Proceedings Appendix" was all that was required in response to the notice.

Applicants believe that no fee is due in connection with this response. However, the Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

CONCLUSION

Applicants respectfully request that the appeal of the present case continue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael E. Yates", is written over a horizontal line.

Michael E. Yates
Attorney for Applicants
Registration No. 36,063
Telephone: 919-541-8587

Syngenta Biotechnology, Inc.
P. O. Box 12257
Research Triangle Park, NC 27709-2257

Date: January 4, 2007

In re application of:

Beyer, et al.

Serial Number: 09/914,913

Filed: December 17, 2001

For: Method for Improving the Agronomics
and Nutritional Value of Plants

Art Unit: 1638

Examiner: Russell Kallis

Confirmation No.: 5922

Atty Docket: 60085USPCT

Related Proceeding Appendix

None.